

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:04CV200

THIS MATTER is before the Court *sua sponte* to continue the trial from the November 2005 term in the Asheville Division.

The Defendant has filed its motion for summary judgment, and the time for response has not expired. The Court will not complete its review of these motions in time for the parties to adequately prepare for trial for the November 2005 term.

IT IS, THEREFORE, ORDERED that the Clerk calendar this case for trial during the Court's January 2006 term in the Asheville Division.

Signed: September 23, 2005



Lacy H. Thornburg
United States District Judge

